

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

<b>STEVEN W. HABERMAN</b>	)
	)
Plaintiff,	)
v.	) Civil Action No. 4:11CV-00126 MHS-ALM
	)
<b>PNC MORTGAGE COMPANY FKA</b>	) Magistrate Judge Amos L. Mazzant
NATIONAL CITY MORTGAGE CO.	)
A DIVISION OF PNC BANK FKA	)
NATIONAL CITY BANK	)
	)
Defendant.	)
	)

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**PLAINTIFF'S MOTION FOR ATTORNEYS' FEES AND  
REIMBURSEMENT OF LITIGATION EXPENSES**

Plaintiff Steven W. Haberman, through counsel, respectfully moves this Court for an order awarding him his attorneys' fees and reimbursement of litigation expenses in connection with the above-captioned case in which he has prevailed.

A memorandum of law in support of this motion is attached hereto.

Dated: October 12, 2012.

Respectfully submitted,

/s/ Sylvia A. Goldsmith  
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Attorneys for Plaintiff

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing  
*Motion for Attorneys' Fees and Reimbursement of Litigation Expenses* is being filed  
electronically with the United States District Court for the Eastern District of Texas, on this 12<sup>th</sup>  
day of October 2012. Notice of this filing will be transmitted to counsel of record by operation  
of the Court's electronic filing system.

/s/ Sylvia A. Goldsmith  
Sylvia A. Goldsmith, Esq.  
LAW OFFICE OF SYLVIA A. GOLDSMITH  
*Attorney for Plaintiff*

## **CERTIFICATE OF CONFERENCE**

Counsel for Mr. Haberman has had communications with counsel for Defendants regarding the substance of the instant motion, namely the viability of resolving the outstanding issue of attorneys' fees and costs per settlement. As the parties are significantly far apart on their figures to do so, Plaintiff understands that Defendant will oppose the relief sought herein to the full extent it has been requested.

/s/ Sylvia A. Goldsmith  
Sylvia A. Goldsmith, Esq.  
LAW OFFICE OF SYLVIA A. GOLDSMITH  
*Attorney for Plaintiff*